

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PERNOD RICARD USA LLC

Plaintiff,

V.

BACARDI U.S.A., INC.

Defendant.

Civ. No. 06-505-SLR

ORDER

At Wilmington this 21st day of August, 2007, consistent with the memorandum opinion issued this same date;

IT IS ORDERED that defendant's motion to dismiss count two (D.I. 12) is granted.


United States District Judge